IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 23027 of 2007(N)

PETITIONER:

P.MURALEEDHARAN, U.D.CLERK,
P.H.CENTRE, VANNAMADA,
PALAKKAD DISTRICT,
UNDER ORDERS OF TRANSFER TO
P.H.CENTRE, PERUMATTY.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:
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1. THE DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.

2. THE DISTRICT MEDICAL OFFICER OF HEALTH,
PALAKKAD.

3. SRI. VASEEBKHAN, U.D.CLERK,
P.H.CENTRE, PERUMATTY, PALAKKAD DISTRICT,
UNDER ORDERS OF TRANSFER TO P.H.CENTRE,
VANNAMADA.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. BALAKRISHNAN NAIR, J.

W.P.(C) No.23027 of 2007-N

JUDGMENT

The petitioner is a U.D. Clerk, working in the Primary Health Centre, Vannamada, Palakkad district. Though he was not disturbed during the general transfer, now, by Ext.P4 he has been shifted from the present station to P.H.C., Perumatty. The petitioner submits, the said transfer is not ordered in exigencies of service. It has been made only to harass him.

2. The petitioner has been working in Vannamada since 2001. Now, he has completed more than 5 years. Therefore, there is nothing wrong in shifting him. This Court can interfere with a transfer, if only the same is contrary to any statutory provision or vitiated by mala fides. No violation of statutory provisions has been pointed out. The materials produced in this writ petition are not sufficient to arrive at a finding of mala fides in the transfer.

3. If the petitioner represents against Ext.P4 before the 2nd respondent or the 1st respondent as the case may be, the concerned

respondent will consider and pass orders on his representation within one month from the date of receipt of the same.

The Writ Petition is disposed of as above.

K. BALAKRISHNAN NAIR,
JUDGE.

27th July, 2007.
nm.